

REMARKS

Claims 1-4, 6-8, 11-12, and 14-16 are amended. Claims 5, 9, 13, and 17 are canceled without prejudice or disclaimer. No new matter is added by these amendments. Claims 1-4, 6-8, 10-12, 14-16, and 18-20 are pending. By amending the claims, applicants are not conceding that the claims are non-statutory under 35 U.S.C. 101, 102, and 103 and are not conceding that the claims are unpatentable over the art cited by the Examiner, as the claim amendments are only for the purpose of facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional applications. Applicant respectfully requests reconsideration and allowance of all claims in view of the amendments above and the remarks that follow.

Objections to the Drawings

The drawings are objected to “because ‘J3EE’ should read -- J2EE -- in Figure 3, Element 320.” Attached is a replacement sheet for Fig. 3 with “J3EE” amended to “J2EE.”

Rejections under 35 U.S.C. 101

Claims 6-10 are rejected under 35 U.S.C. 101 because “the recited means appear to lack the necessary physical components (hardware) to constitute a machine or a manufacture.” Applicant respectfully traverses these grounds for rejection for the reasons argued below. MPEP 2106 (II) (C) recites:

“Where means plus function language is used to define the characteristics of a machine or manufacture invention, such language must be interpreted to read on only the structures or materials disclosed in the specification and "equivalents thereof" that correspond to the recited function. In re Donaldson, 16 F.3d 1189, 1193, 29 USPQ2d 1845, 1848 (Fed. Cir. 1994) (en banc); In re Alappat, 33 F.3d 1526, 1540, 31 USPQ2d 1545, 1554 (Fed. Cir. 1994) (en banc).”

Applicant’s specification at page 7, last paragraph through page 8, second full paragraph recites:

“The storage device 115 represents one or more mechanisms for storing data. For example, the storage device 115 may include read only memory (ROM), random access memory (RAM), magnetic disk storage media, optical storage media, flash memory devices, and/or other machine-readable media. ... The storage device 115 includes a container 126, a persistence manager 128, a query engine 130, a deployment tool 132, a resource adapter 136, and a helper class 146, all of which in various embodiments may have any number of instances. ... The deployment tool 132 includes instructions capable of executing on the processor 110 or statements capable of being interpreted by instructions executing on the processor 110 to carry out the functions as further described below with reference to Figs. 2 and 3.”

Thus, the means plus function language of claims 6-10 may be interpreted, by way of example and not of limitation, as a storage device that stores instructions that execute on a processor, all of which are physical components. Thus, claims 6-10 do not lack the necessary physical components to constitute a machine or manufacture, and are statutory under 35 U.S.C. 101.

Claims 11-15 are rejected under 35 U.S.C. 101 for “carrying electrical signals.” Claims 11-12 and 14-15 are amended to recite a storage medium, which is statutory under 35 U.S.C. 101. Claim 13 is canceled without prejudice or disclaimer, so the rejection is moot.

Rejections under 35 U.S.C. 102 and 103

Claims 1-19 are rejected under 35 U.S.C. 102(e) as unpatentable over Hamilton (US 6,889,227). Claim 20 is rejected under 35 U.S.C. 103(a) as unpatentable over Hamilton in view of Apte (US 6,269,373). Applicant respectfully submits that the claims are patentable over the references because the references, alone or in combination, do not teach or suggest all of the elements of the claims, for the reasons argued below.

Claim 1 recites: “mapping the input and output records between the method in the container-managed persistence bean and the procedure, wherein a state of the container-managed persistence bean persists beyond a lifetime of an application that uses the container-managed persistence bean.”

In contrast, Hamilton at column 6, lines 36-38 describes that “a map is created to correlate queries or commands from the client application to EJB objects.” Thus, the Hamilton commands or queries that are correlated are transitory and do not persist beyond the lifetime of the client computer system and are not a method in a container-managed persistence bean, so Hamilton does not teach or suggest “mapping the input and output records between the method in the container-managed persistence bean and the procedure, wherein a state of the container-managed persistence bean persists beyond a lifetime of an application that uses the container-managed persistence bean,” as recited in claim 1.

Apte at column 17, lines 17-20 describes a “‘Tie’ object that maps server application state to corresponding back-end data.” But, Apte does not teach or suggest “mapping the input and output records between the method in the container-managed persistence bean and the procedure,” as recited in claim 1 because Apte maps a server application state to back end data and not records between a method in a container-managed persistence bean and a procedure. Thus, Apte teaches away from claim 1. Hence, the references, alone or in combination, do not teach or suggest all the elements of claim 1.

Independent claims 6, 11, and 16 include similar elements as argued above for claim 1 and are patentable over the references for similar reasons. Claims 2-4, 7-8, 10, 12, 14-15, and 18-20 are dependent on claims 1, 6, 11, and 16, respectively, and are patentable for the reasons argued above, plus the elements in the claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is requested. The Examiner is invited to telephone applicant's attorney (651-645-7135) to facilitate prosecution of this application.

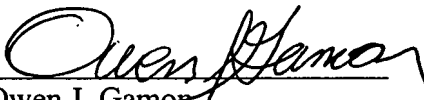
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0465.

Respectfully submitted,

John W. Alcorn, et al.

By their Representative,

Date: August 6, 2007


Owen J. Gamon
Reg. No. 36,143
(651) 645-7135

IBM Corporation
Intellectual Property Law
Dept. 917, Bldg. 006-1
3605 Highway 52 North
Rochester, MN 55901

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 6, 2007.

Owen J. Gamon
Name


Signature

S/N 10/829,625
ROC920030352US1